

AN ACT

ENTITLED, An Act to authorize the Public Utilities Commission to implement and comply with certain federal energy acts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 49-34A-93 be amended to read as follows:

49-34A-93. The commission may implement and comply with the provisions of the Public Utility Regulatory Policies Act of 1978, as amended to January 1, 2009, the Energy Policy Act of 2005, and the Energy Independence and Security Act of 2007 and may promulgate rules pursuant to chapter 1-26 consistent with these acts. The commission may implement policies or promulgate rules to establish the following:

- (1) Standards requiring a public utility to offer each of the utility's customer classes, and provide individual customers upon customer request, a time-based rate schedule under which the rate charged by the electric utility varies during different time periods and reflects the variance, if any, in the utility's costs of generating and purchasing electricity at the wholesale level;
- (2) Standards requiring a public utility to make interconnection service available on request to any electric customer that the utility serves;
- (3) Standards requiring a public utility to develop a plan to minimize dependence on one fuel source and to ensure that the electric energy it sells to consumers is generated using a diverse range of fuels and technologies, including renewable technologies;
- (4) Standards requiring a public utility to develop and implement a ten-year plan to increase the efficiency of its fossil fuel generation;
- (5) Standards or policies requiring a public utility to integrate energy efficiency resources into the utility's planning process and to adopt policies establishing cost-effective energy

efficiency as a priority resource;

- (6) Standards or policies allowing a public utility's rates to align utility incentives with the delivery of cost-effective energy efficiency and promote energy efficiency investments;
- (7) Standards or policies requiring prior to investing in nonadvanced grid technologies, that a public utility consider investing in a smart grid system; and
- (8) Standards or policies requiring public utilities to provide smart grid information regarding electricity prices, usage, and sources of power to customers.

Any order adopted by the commission prior to January 1, 2006, pursuant to these acts, is hereby validated.

An Act to authorize the Public Utilities Commission to implement and comply with certain federal energy acts.

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I certify that the attached Act
originated in the

SENATE as Bill No. 60

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 60
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State